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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,323	07/18/2003	Kazuo Masuda	30014630.0002	2509
57362 7590 12/28/2006 AKERMAN SENTERFITT 801 PENNSYLVANIA AVENUE N.W. SUITE 600 WASHINGTON, DC 20004			EXAMINER OYEBISI, OJO O	
			ART UNIT 3692	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/28/2006	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/621,323

Applicant(s)

MASUDA ET AL.

Examiner

OJO O. OYEBISI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07/18/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 07/18/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims cite a remitter changing unit for changing said remitter by ordering to remit money from said second account at said second financial institution managed by said remittance management system to said remittee account instead of a remittance from said first account to said remittee account caused by a deposit to said first account. In order to further understand the mechanism of this invention, the specification was consulted. Although, the specification (paras 0019, 0070 and 0115) mentions remitter-changing unit, but fails to describe specifically how the remitter changing unit functions to remit money from one account to another. The description of said remitter changing unit in the specification (paras 0019, 0070, and 0115) is replete with uncertain and non-specific terms i.e., paras 0019 "The remittee changing unit may increase the amount of the remittance in the remitter financial institution by changing a part or all of a remittance to the remitter financial

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institution and a part or all of a remittance from the remitter financial institution **each other, in case there is a remittance to the remitter financial institution each other.**"

Also see paras 0070, "the remitter changing unit 270 sends the order to remit money from the first account 501 to the remitter account 502 to the ordering unit 330, **instead of the remittance from the second account 521 to the remitter account 502 caused by remitting to the second account 521.**" And lastly, paras 0115 "the remittee changing unit 850 makes the remittance charge **in the same bank large by changing the remittances each other (\$414).** And, the remittee changing unit 850 changes the remittee so that the total amount of the remittance service charge can be lowered (\$416). " All in all, every single claimed subject matter in the specification is replete with informalities so numerous that one skilled in the art would not be able to make and/or use the invention. The claims of the applicant are exceedingly vague and incomprehensible, and there is essentially no direction provided by the inventor.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-22 are generally narrative and indefinite, failing to conform to current U.S practice. They appear to be a literal translation into English from a foreign document and are replete with phrases such as: "so that, " "in regard to at least, " "ins titution each other," "is more

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than a sum, ” “according to an order, ” “ instead of,” “are changed each other,” “both in case, ” which render the claims indefinite. See MPEP 2173.05(d). The claims of the applicant are exceedingly vague and incomprehensible. The claims should be revised to confirm to U.S Patent Office practice.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Ito et al (US PAT: 6,039,250).

**Re claims 1-22.** Ito discloses a remittance management system for managing a deposit and/or a withdrawal in regard to accounts at a plurality of financial institutions, while managing a remittance performed by a client from a remitter account at a first financial institution to a remittee account at a second financial institution (see col.6 lines 23-52), said remittance management system comprising: a deposit confirming unit for confirming that money has been transferred from said remitter account to said first account at said first financial institution managed by said remittance management

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system (see fig.2 element 207, see fig.3 element 307, also see fig.4 element 411); and a remitter changing unit for changing said remitter by ordering to remit money from said second account at said second financial institution managed by said remittance management system to said remittee account instead of a remittance from said first account to said remittee account caused by a deposit to said first account (see fig.2 and fig.4).

### ***Conclusion***

**The following prior art of record, cited but not relied upon, is found pertinent to the present application: Thomas et al – US PAT: 6,173,272, discloses funds transfer system for facilitating electronic funds transfer between a payor and a payee by means of an intermediate trusted third party comprises: a payor station including a device for electronic communication of a payment order, the payment order comprising the payee's name, address and an amount owed by the payor to the payee; a home banking system including a computer structured to communicate electronically at least with the payor station, to receive the payment order, and with the trusted third party; a trusted third party system associated with the trusted third party.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJO O. OYEBISI whose telephone number is (571) 272-8298. The examiner can normally be reached on 8:30A.M-5:30P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD E. CHILCOT can be reached on (571)272-6777. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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RICHARD E. CHILCOT, JR.  
SUPERVISORY PATENT EXAMINER